

JS 44C/SDNY  
REV. 5/2010

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

10 CV 5397  
Martinez

PLAINTIFFS

Terrie Sizemore

DEFENDANTS

Motors Liquidation Company

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. 158

Has this or a similar case been previously filed in SDNY at any time? No? ☐ Yes? ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

09-50026 # 5998

ACTIONS UNDER STATUTES

CONTRACT		TORTS		FORFEITURE/PENALTY		BANKRUPTCY		OTHER STATUTES	
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 362 PERSONAL INJURY -	[ ] 610 AGRICULTURE	[ ] 422 APPEAL	[ ] 400 STATE				
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	[ ] 365 PERSONAL INJURY	[ ] 620 OTHER FOOD &	28 USC 158	[ ] 410 ANTITRUST				
[ ] 130 MILLER ACT	LIABILITY	[ ] 368 ASBESTOS PERSONAL	DRUG	[ ] 423 WITHDRAWAL	[ ] 430 BANKS & BANKING				
[ ] 140 NEGOTIABLE	[ ] 320 ASSAULT, LIBEL &	INJURY PRODUCT	SEIZURE OF	28 USC 157	[ ] 450 COMMERCE				
INSTRUMENT	SLANDER	LIABILITY	PROPERTY		[ ] 460 DEPORTATION				
[ ] 150 RECOVERY OF	[ ] 330 FEDERAL	[ ] 368 ASBESTOS PERSONAL	[ ] 630 LIQUOR LAWS	PROPERTY RIGHTS	[ ] 470 RACKETEER INFLU-				
OVERPAYMENT &	EMPLOYERS'	INJURY PRODUCT	[ ] 640 RR & TRUCK	[ ] 820 COPYRIGHTS	ENCED & CORRUPT				
ENFORCEMENT OF	LIABILITY	LIABILITY	[ ] 650 AIRLINE REGS	[ ] 830 PATENT	ORGANIZATION ACT				
JUDGMENT	[ ] 340 MARINE	PERSONAL PROPERTY	[ ] 660 OCCUPATIONAL	[ ] 840 TRADEMARK	(RICO)				
[ ] 151 MEDICARE ACT	LIABILITY	[ ] 370 OTHER FRAUD	[ ] 690 OTHER		[ ] 480 CONSUMER CREDIT				
[ ] 152 RECOVERY OF	[ ] 345 MARINE PRODUCT	[ ] 371 TRUTH IN LENDING		SOCIAL SECURITY	[ ] 490 CABLE/SATELLITE TV				
DEFAULTED	LIABILITY	[ ] 380 OTHER PERSONAL		[ ] 861 HIA (1395ff)	[ ] 810 SELECTIVE SERVICE				
STUDENT LOANS	[ ] 350 MOTOR VEHICLE	PROPERTY DAMAGE	LABOR	[ ] 862 BLACK LUNG (923)	[ ] 850 SECURITIES/				
(EXCL VETERANS)	[ ] 355 MOTOR VEHICLE	PRODUCT LIABILITY	[ ] 710 FAIR LABOR	[ ] 863 DIWC/DIWW (405(g))	COMMODITIES/				
[ ] 153 RECOVERY OF	[ ] 360 OTHER PERSONAL	PRODUCT LIABILITY	[ ] 720 LABOR/MGMT	[ ] 864 SSID TITLE XVI	EXCHANGE				
OVERPAYMENT OF	INJURY		RELATIONS	[ ] 865 RSI (405(g))	[ ] 875 CUSTOMER				
VETERAN'S BENEFITS			REPORTING &		CHALLENGE				
[ ] 160 STOCKHOLDERS SUITS			DISCLOSURE ACT		12 USC 3410				
[ ] 190 OTHER CONTRACT			[ ] 740 RAILWAY LABOR ACT	FEDERAL TAX SUITS	[ ] 890 OTHER STATUTORY				
[ ] 195 CONTRACT PRODUCT			[ ] 790 OTHER LABOR	[ ] 870 TAXES (U.S. Plaintiff or	ACTIONS				
LIABILITY			LITIGATION	Defendant)	[ ] 891 AGRICULTURAL ACTS				
[ ] 196 FRANCHISE			[ ] 791 EMPL RET INC	[ ] 871 IRS-THIRD PARTY	[ ] 892 ECONOMIC				
			SECURITY ACT	26 USC 7609	STABILIZATION ACT				
					[ ] 893 ENVIRONMENTAL				
					MATTERS				
					[ ] 894 ENERGY				
					ALLOCATION ACT				
					[ ] 895 FREEDOM OF				
					INFORMATION ACT				
					[ ] 900 APPEAL OF FEE				
					DETERMINATION				
					UNDER EQUAL ACCESS				
					TO JUSTICE				
					[ ] 950 CONSTITUTIONALITY				
					OF STATE STATUTES				

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?  
IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint  
JURY DEMAND: ☐ YES ☐ NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN *x* IN ONE BOX ONLY)

**ORIGIN**

- ☒ 1 Original Proceeding    ☐ 2a. Removed from State Court    ☐ 3 Remanded from Appellate Court    ☐ 4 Reinstated or Reopened    ☐ 5 Transferred from (Specify District)    ☐ 6 Multidistrict Litigation    ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ 2b. Removed from State Court AND at least one party is pro se.

(PLACE AN *x* IN ONE BOX ONLY)

**BASIS OF JURISDICTION**

**IF DIVERSITY, INDICATE  
CITIZENSHIP BELOW.  
(28 USC 1322, 1441)**

- ☐ 1 U.S. PLAINTIFF    ☐ 2 U.S. DEFENDANT    ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)    ☐ 4 DIVERSITY

**CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	[ ] 1	[ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[ ] 3	[ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	[ ] 5	[ ] 5
CITIZEN OF ANOTHER STATE	[ ] 2	[ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4	[ ] 4	FOREIGN NATION	[ ] 6	[ ] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS    ☒ MANHATTAN  
(DO NOT check either box if this a PRISONER PETITION.)

DATE 07/15/2010 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

[ ] YES (DATE ADMITTED Mo. \_\_\_\_\_ Yr. \_\_\_\_\_)

RECEIPT #

Attorney Bar Code #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)